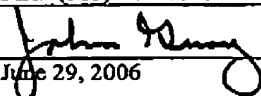
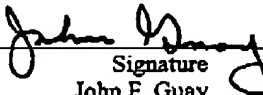


JUN 29 2006

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/950,087
		Filing Date	September 10, 2001
		First Named Inventor	P. Hamilton Clark et al.
		Group Art Unit	3623
		Examiner Name	Johnna R. Stimpak
Total Number of Pages in This Submission	6	Attorney Docket Number	D/A 1322 (1508/3380)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request (\$_____)	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition (\$_____)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (\$_____) (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> Check in the amount of \$_____ <input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement (\$_____)	<input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer (\$_____)	
<input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notice to File Missing Parts/Incomplete Application (\$_____)	<input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> A copy of the Notice to File Missing Parts under 37 CFR 1.52 or 1.53	Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 24-0037 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	John F. Guay Registration No. 47,248 c/o Gunnar G. Leinberg, Esq. Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1304 Fax: (585) 263-1600
Signature	
Date	June 29, 2006

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	
<input checked="" type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.	
June 29, 2006 Date	 Signature John F. Guay Typed or printed name

JUN 29 2006

PATENT  
Docket No.: D/A 1322 (1508/3380)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	P. Hamilton Clark et al.	)	Examiner:
Serial No.	:	09/950,087	)	Johanna R. Stimpak
Cnfrm. No.	:	2257	)	Art Unit:
Filed	:	September 10, 2001	)	3623
For	:	ELECTRONIC PROJECT MANAGEMENT	)	
		SYSTEM USING PROJECT PHASES	)	

## REQUEST FOR RECONSIDERATION

## MAIL STOP AF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the April 19, 2006, final office action, Applicants respectfully request reconsideration and withdrawal of the rejections of the claims.

In the final office action, the Examiner maintained the rejection of Claims 1-5, 7-11, 13-17, 19-21, 23-25 and 27-29 under 35 U.S.C. 102(b), on the grounds that they were allegedly considered to be anticipated by the McAtee et al. patent (U.S. Patent No. 5,301,320). As set forth in MPEP § 2131, "to anticipate a claim, the reference must teach every element of the claim." For reasons presented below, it is respectfully submitted that the McAtee et al. patent does not teach every element of the rejected claims, and therefore does not meet the standard of anticipation of those claims.

On pages 10-12 of the response filed on February 1, 2006, Applicants pointed out that the parts of the McAtee et al. patent relied upon in the November 4, 2005, action (i.e., column 5, lines 25-30 and column 7, lines 17-33) do not describe, either explicitly or inherently, claimed processes including "identifying which of one or more stored exit criteria are applicable to at least one of the phases of the project," as recited in independent claims 1,